



**Department of Justice
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APRIL 5, 2006

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**JURY CONVICTS DONNA, TEXAS, COUPLE OF SMUGGLING
12-HOUR OLD INFANT**

McALLEN, TX – After a one day trial, a federal jury found Margaret Lynn Vela, 39, and her husband, Jose Jesus Vela, Jr., 40, of Donna, Texas, guilty of trying to smuggle a newborn child into the United States. The couple was convicted of conspiracy to transport an alien and with transporting an alien within the United States.

The evidence at trial showed that on November 14, 2005, the defendants arrived at the Pharr, Texas, Port of Entry in a Chevy Impala with Mrs. Vela driving and Mr. Vela as a passenger along with a newborn child. During primary inspection, Mrs. Vela told a Customs and Border Protection inspector that the child was hers and that she had been born at the Rio Grande Regional Hospital in McAllen, Texas. The inspector referred them to secondary inspection when Mrs. Vela could not produce any documents showing that the child was a United States citizen. At the secondary inspection, the defendants admitted trying to smuggle the child into the United States because of the fact that they could not conceive a baby.

The evidence at trial showed that the defendants met with the mother of the child on November 13, 2005, in Reynosa, Mexico. Early on November 14, 2005, the couple received a call that the mother was in labor. After they went to their bank and withdrew money, they then drove to Reynosa, Mexico, and paid the clinic \$460 for the delivery of the child and \$200 for mothers medications. The couple then took the 12-hour old infant across the border at the Pharr, Texas, Port of Entry.

At trial Mrs. Vela testified that they committed the offense because of their inability to conceive a child of their own. She testified that although they twice tried to adopt a child in the United States, both times the mothers of the children changed their minds and they were forced to return the children. She further stated she never attempted to legally adopt the newborn child in Mexico or arrange for any legal documents for the child to be brought into the United States.

The Government argued that the defendants went to Mexico, bought the child, and avoided proper adoption procedure. Instead, the couple smuggled the 12-hour old infant into the United States, claiming it was a United States citizen. The infant was turned over to the Mexican consulate and returned to its country of birth.

The defendants are scheduled to be sentenced by United States District Judge Randy

Crane on June 28, 2006, and face up to 10 years in federal prison, without parole, and a \$250,000 fine.

This matter was investigated by Customs and Border Protection and is being prosecuted by Assistant United States Attorney Anibal J. Alaniz.

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